

DANIEL CANCELLA and STEVE HUMRICH

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA -SAN FRANCISCO

Case No. 4:18-CV-01931-DMR

STEVEN YOUNG, et al.,

Plaintiff,

vs.

EAST PALO ALTO POLICE OFFICERS

DANIEL CANCELLA and ROBERT STEVE
HUMRICH and DOES 1- 50, et al.,

Defendants.

Date: December 13, 2018

Time: 11:00 a.m.

Courtroom: 4, 3rd Floor

Judge:
Hon.
Donna
M.
Ryu

Trial Date: November 4, 2019

I, OFFICER DANIEL CANCELLA, declare as follows:

1. I am a Police Officer with the City of East Palo Alto and have been for the past 3 years. If called upon as a witness, I could and would testify to the following:

2. For approximately one year I routinely patrolled the 2200 block of Menalto Avenue due to numerous complaints from citizens advising the street is a common place for people to loiter with intent to buy or use illegal substances. I know from working as a police officer in the City Of East Palo Alto the 2200 block of Menalto Avenue is a common area for narcotic related crimes, including the use and sale of illegal substances.

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3. On 05/02/2017 at approximately 1100 hours, I conducted a probation search on the owner of 2250 Menalto Avenue, Raymond Scott, to ensure he was in compliance with his probation terms.

4. I made contact with the Plaintiff who was sitting on a couch in front of the residence. At the time, Plaintiff appeared agitated and was holding a straight razor blade.

5. Fearing for my safety and the safety of the other officers on scene, I grabbed Plaintiff's left hand in an attempt to stand him up. Plaintiff resisted and then clenched his right fist in a ball and threw his fist towards my upper chest area toward my face. I dodged Plaintiff's right hand and was able to catch his right wrist. I placed my right hand on Plaintiff's right elbow and used my body weight which forced us to the ground with me laying on top of Plaintiff. I attempted to place handcuffs on Plaintiff but Plaintiff kept pulling his arm away. Officer HUMRICH held Plaintiff's legs in place, while other officers assisted us in detaining and eventually arresting Plaintiff.

6. During the pat down search that ensued after, I found Plaintiff had rock cocaine base and \$4,301.00 in Plaintiff's possession.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that I have personal knowledge of all facts contained in this Declaration, except for those matters stated to be on information and belief, and this declaration was executed on November 8, 2018, in Palo Alto, California.



OFFICER DANIEL CANCELLA

DECLARATION OF OFFICER DANIEL CANCELLA IN
SUPPORT OF DEFENDANTS' MOTION FOR SUMMARY
JUDGMENT; CASE NO. 4:18-cv-01931-DMR

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